

REMARKS

Claims 1, 2, 18 and 21 have been amended to correct formality errors and to more clearly define the invention.

Support for the claim amendments is found in the existing claims and in the Application description in connection with Figures 1-3. Specifically, support for the “filter” feature is found on page 5 line 32 to page 6 line 5, page 7 lines 21-22 and support for the “map” feature is found in page 7 lines 21-26 and other places.

I. Specification.

The Abstract is amended to reduce its length.

II. Double Patenting.

The Rejection states claims 1-24 conflict with claims 1-27 of Application No. 10/054,664 and requires conflicting claims to be eliminated from one of the Applications.

Applicant assumes the Examiner means Application serial No. 10/051,664 and proceeds on that basis (10/054,664 is not commonly owned or the same subject matter). If this is not the case then Applicant will be happy to address the issue.

Claim 1 currently in co-pending Application serial no. 10/051,664 recites:

“In a system for initiating performance of a first process, comprising a set of tasks, to be performed by at least one individual to support healthcare delivery, a method performed by a data processor for processing an event representing a change in circumstances potentially affecting healthcare delivered to a patient, comprising the activities of:

associating in a repository, at least one event potentially affecting healthcare delivered to a patient with a sequence of tasks to be performed to support healthcare delivery to said patient;

receiving a message identifying occurrence of said event;

determining by using said repository, a particular sequence of tasks to

be performed, in response to receiving said message identifying occurrence of said event; and

initiating execution of performance of said particular sequence of tasks by at least one individual without scheduling said performance and associated intervening scheduling time delay in response to receiving said message identifying occurrence of said event and determination pre-conditions associated with said task sequence are satisfied and said tasks of said task sequence are ready for performance by said at least one individual”.

This claim addresses “initiating execution of performance of said particular sequence of tasks by at least one individual **without scheduling** said performance and associated intervening scheduling time delay”. Consequently, it is submitted that this claim (and the other claims of this co-pending application) are distinctly different from the claims considered herein which do not recite such a feature arrangement involving “initiating execution of performance” of a “particular sequence of tasks by at least one individual **without scheduling** said performance and associated intervening scheduling time delay”.

III. Rejection under 35 U.S.C. 102(e)

Claims 1-24 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Application 2002/0062230 – Morag et al. These claims, as amended, are deemed to be patentable for the reasons given below.

Amended claim 1 recites a method for “providing a user interface for processing an event representing a change in circumstances potentially affecting healthcare delivered to a patient” comprising “in response to user command, initiating generation of at least one display image supporting a user in, identifying an event and an associated parameter; designating a predetermined process is associated with said identified event by associating identifiers with said identified event and said identified parameter, said predetermined process comprising a set of tasks to be performed by at least one individual to support healthcare delivery; and indicating said identified parameter is to be provided to said process in response to occurrence of said event; and providing said identified parameter to said process using a map in at least one repository associating event identifiers and parameter identifiers”. These features are not shown (or suggested) in Morag.

The arrangement of claim 1 provides “at least one display image supporting a user in, identifying an event and an associated parameter” and “designating a predetermined process” (a sequence of tasks to be performed) is “associated with said identified event by associating identifiers with said identified event and said identified parameter” and “indicating said identified parameter is to be provided to said process in response to occurrence of said event; and providing said identified parameter to said process using a map in at least one repository associating event identifiers and parameter identifiers”. These features enable a user to create “workflow processes that may be dynamically re-configured in response to events” to address the limited flexibility of known systems in “configuring workflow processes and in allocating codes for identifying processes and events, for example” (Application page 5 lines 3-7). The claimed arrangement also “supports creation and configuration of healthcare processes that interact with each other and respond to changes and events originating in other processes”. The arrangement further “advantageously categorizes and filters events generated by an HIS” (Healthcare Information System) to “ensure that the events affecting the configured workflow process, or other healthcare workflow processes, are forwarded to the workflow management system. The filter thereby excludes a potentially large volume of event items of no consequence to system workflow processes. This significantly reduces the workload involved” (Application page 6 lines 1-6). The claimed arrangement also “supports flexible workflow management and enables a considerable degree of flexibility in workflow process implementation and re-engineering upon healthcare system alteration or modification” (Application page 6 lines 14-16).

In contrast Morag describes a “messaging communication method and program system supporting communication between patients and physicians, physician extenders including nurses, and the ordering of prescriptions, alternatively supporting communication between clients, service providers, service extenders including service assistants and the ordering of services” (Morag para. 0001). Morag does not show or suggest “at least one display image supporting **a user in**, identifying an event and an associated parameter; designating a predetermined process” comprising “a set of tasks to be performed by at least one individual to support healthcare delivery” is “associated with said identified event by associating identifiers with said identified event and said identified parameter”. Further, Morag does not show or suggest this in combination with “indicating said identified parameter is to be provided to said process in response to occurrence of said event” and “providing said identified parameter to said process using a **map** in at least one repository associating **event identifiers** and **parameter identifiers**”.

Morag para. 0015 relied on does not show or suggest a display image enabling a **user** to **designate** “a predetermined process” comprising “a set of tasks to be performed by at least one individual to support healthcare delivery” is “associated with said identified event by associating identifiers with said identified event” and the “identified parameter” to “be provided to said process in response to occurrence of said event”. Contrary to the Rejection interpretation an “educated query message” of Morag is “an optimized medical query directed by the patient to address concerns and conditions involving the patient” (Morag para. 0177). An “optimized medical query directed by the patient to address concerns and conditions involving the patient” is NOT under any cogent interpretation an “event representing a **change in circumstances** potentially affecting healthcare delivered to a patient”. A query is a request for information and does NOT represent (or suggest) a “**change in circumstances**”. Further, contrary to the Rejection interpretation, a “medical profiler” process in Morag comprises “the system-wide activities which are performed in an **automated** fashion by the workflow engine to facilitate the medical communication between patients, physicians, physician extenders and pharmacies to support at least the following: medical queries, replies and transactions involved in prescriptions” (Morag para. 0155). An **automated** (and by definition non-manual) process cannot be “a set of tasks to be performed by at least one **individual**”.

Further, Morag para. 0015 relied on does not show or suggest “designating a predetermined **process**” comprising “a set of tasks to be performed by at least one individual to support healthcare delivery” is “**associated** with said identified **event** by associating identifiers with said identified event” and the “identified **parameter**” to “be **provided to said process** in response to occurrence of said event”. This feature enables a user via a display image to configure a workflow process to dynamically adapt in response to other concurrent workflow processes (during process operation) by receiving medical parameters from other concurrently operating workflow processes. As exemplified in the Application on page 9 lines 27-34, the arrangement enables “a pharmacy order for Gentamicin IV” to “be used to initiate an aminoglycoside infusion process” by passing to the infusion process “parameters such as the patient’s identifier number (PTID) 612, dose (for example, 1 ml or 2 tablets) 620, time (for example, every 8 hours) 618, route (for example, intravenous) 616, and strength (for example, 80 mg/ml or 500 mg) 614 are selected via prompt element 611 which also indicates the corresponding identification label employed by the workflow process”. Morag in para. 0015 merely discusses a workflow process for receiving a query message from a patient, recording receipt of

the message in the patient's record and forwarding the message to a physician. Morag nowhere shows or suggests a system providing a "display image" enabling "a user" to configure a workflow process to dynamically adapt in response to other concurrent workflow processes. Morag nowhere suggest such a capability may be provided by "designating a predetermined **process**" comprising "a set of tasks to be performed by at least one individual to support healthcare delivery" is "**associated** with said identified **event** by associating identifiers with said identified event" and the "identified **parameter**" to "be **provided to said process** in response to occurrence of said event".

Morag nowhere shows or suggests "providing said identified parameter to said process using a map in at least one repository associating event identifiers and parameter identifiers". Morag fails to contemplate employing a "map" "**associating event identifiers and parameter identifiers**". Morag does not mention a map or such association at all. Morag is concerned with "supporting communication between patients and physicians, physician extenders including nurses, and the ordering of prescriptions, alternatively supporting communication between clients, service providers, service extenders including service assistants and the ordering of services" (Morag para. 0001). Morag fails to recognize the problems addressed by the claimed system or provide any other reason for providing the claimed features. Consequently, withdrawal of the rejection of amended claim 1 under 35 USC 102(b) is respectfully requested.

Amended dependent claim 2 is considered to be patentable based on its dependence on claim 1. Claim 2 is also considered to be patentable because Morag does not show (or suggest) a system involving "filtering messages identifying events using said map to exclude messages conveying event identifiers unassociated with said predetermined process from being passed to said process, wherein said at least one display image supports designating an executable procedure, for initiating a workflow process comprising a sequence of tasks to be performed by a worker or system, is associated with said identified event and wherein execution of said procedure is initiated in response to occurrence of said identified event". The only mention in Morag of a filter appears to be in para. 0171 which states "Through the medical profile 208 of patient 200 the workflow engine will allow clinics to search for certain patient characteristics. Using this filter the clinic can rapidly create variable patient mailing lists to which they can mail at once". Allowing a search for patient characteristics to create a mailing list has no bearing on, and fails to suggest, "filtering messages identifying events using said map to exclude messages conveying event

identifiers unassociated with said predetermined process from being passed to said process". This feature advantageously "significantly reduces the workload involved" in a workflow engine (Application page 6 lines 1-6) and is achieved by a system that "advantageously categorizes and filters events generated by an HIS" (Healthcare Information System), for example, to "ensure that the events affecting the configured workflow process, or other healthcare workflow processes, are forwarded to the workflow management system. The filter thereby excludes a potentially large volume of event items of no consequence to system workflow processes" (Application page 6 lines 1-6).

Morag further fails to show or suggest "at least one display image" that "supports designating an **executable procedure**, for initiating a workflow process comprising a sequence of tasks to be performed by a worker or system, is associated with said **identified event** and wherein execution of said procedure is initiated in response to occurrence of said identified event". There is no disclosure in Morag of "at least one display image" enabling a user to designate "an **executable procedure**, for initiating a workflow process comprising a sequence of tasks to be performed by a worker or system, is associated with said **identified event**" at all. Contrary to the Rejection statement there is no disclosure of such a feature combination in para. 0177 or elsewhere in Morag.

Dependent claim 3 is considered to be patentable based on its dependence on claim 1. Claim 3 is also considered to be patentable because Morag does not show (or suggest) a system in which the "said at least one display image supports designating a **second process**, comprising a scheduled sequence of tasks to be performed by at least one individual to support healthcare delivery, is associated with said identified event and determining said second process is to be at least one of, (a) **replaced** and (b) **supplemented**, by said predetermined process in response to occurrence of said identified event". As previously explained in connection with claim 1, An "educated query message" is NOT under any cogent interpretation an "event representing a **change in circumstances** potentially affecting healthcare delivered to a patient" and a "medical profiler" cannot be (and fails to suggest) "a set of tasks to be performed by at least one **individual**". Morag in para. 0186 nowhere shows or suggests "at least one display image" that "supports designating a **second process**, comprising a scheduled sequence of tasks to be performed by at least one individual to support healthcare delivery, is associated with said identified event and determining said second process is to be at least one of, (a) **replaced** and (b) **supplemented**".

Dependent claim 4 is considered to be patentable based on its dependence on claims 1 and 3. Claim 4 is also considered to be patentable because Morag does not show (or suggest) a system in which the “said second process is supplemented by said predetermined process by at least one of the steps of, (a) adding said tasks of said predetermined process to tasks of said second process, and (b) substituting at least one of said tasks of said predetermined process for a task of said second process”. Contrary to the Rejection statement on page 5, Morag in para 0177-0181, 0186 and Figures 3B and 4 nowhere shows or suggests this feature combination.

Dependent claim 5 is considered to be patentable based on its dependence on claim 1. Claim 5 is also considered to be patentable because Morag does not show (or suggest) a system involving “designating a second process is to be at least one of, (a) replaced and (b) supplemented, by said predetermined process in response to occurrence of said identified event, said second process comprising a scheduled sequence of tasks to be performed by at least one individual to support healthcare delivery and is different to said predetermined process sequence of tasks”. Contrary to the Rejection statement on page 5, Morag in para 0177-0181, 0186 and Figures 3B and 4 nowhere shows or suggests this feature combination.

Dependent claim 6 is considered to be patentable based on its dependence on claim 1. Claim 6 is also considered to be patentable because Morag does not show (or suggest) a “display image” that supports “designating predetermined parameter verification criteria is associated with said associated parameter”. Contrary to the Rejection statement on page 5, Morag in para 0177-0181, 0186 and Figures 3B and 4 nowhere shows or suggests this feature combination. This feature associates “parameter verification criteria” for validating an “identified **parameter**” to “**be provided to said process** in response to occurrence of said event”. This feature facilitates user configuration, via a display image, of a workflow process to dynamically adapt in response to other concurrent workflow processes by (during process operation) receiving medical parameters from other concurrently operating workflow processes. As exemplified in the Application on page 9 lines 27-34, the arrangement enables “a pharmacy order for Gentamicin IV” to “be used to initiate an aminoglycoside infusion process” by passing to the infusion process “parameters such as the patient’s identifier number (PTID) 612, dose (for example, 1 ml or 2 tablets) 620, time (for example, every 8 hours) 618, route (for example, intravenous) 616, and strength (for example, 80 mg/ml or 500 mg) 614 are selected

via prompt element 611 which also indicates the corresponding identification label employed by the workflow process”. These features are nowhere shown or suggested in Morag.

Dependent claim 7 is considered to be patentable based on its dependence on claims 1 and 6. Claim 7 is also considered to be patentable because Morag does not show (or suggest) a system in which “said designated predetermined parameter verification criteria comprises at least one of, (a) a value range (b) a value type and (c) a parameter symbol check”. The Rejection recognizes that Morag fails to show such features but states that “a value range” would be “included in billing information”. This is unfounded speculation and has no bearing on a “display image” that supports “designating predetermined parameter verification criteria” comprising “at least one of, (a) a value range (b) a value type and (c) a parameter symbol check” is “associated with said associated parameter”.

Dependent claim 8 is considered to be patentable based on its dependence on claim 1. Claim 8 is also considered to be patentable because Morag does not show (or suggest) a system in which “said associated parameter is for use by multiple different process task sequences and is stored at a location available for access by said multiple different process task sequences”. Morag in Figures 3B and 4 or elsewhere nowhere shows or suggests this feature combination.

Dependent claim 9 is considered to be patentable based on its dependence on claim 1. Claim 9 is also considered to be patentable because Morag does not show (or suggest) a system involving “designating said predetermined process is associated with said identified event comprises designating an instance of said predetermined process is associated with said identified event”. Morag in para 0177-0181 and Figures 3B and 4 nowhere shows or suggests this feature combination.

Dependent claim 10 is considered to be patentable based on its dependence on claim 1. Claim 10 is also considered to be patentable because Morag does not show (or suggest) a system involving “searching a database containing records indicating active processes to identify active process instances of said predetermined process”. Morag in para. 0160 nowhere shows or suggests this feature combination and fails to even mention a process “instance”. A process “instance” is a “copy of a workflow process and may comprise a particular use of the process for a specific patient, for example” (Application page 11 lines 12-14).

Dependent claim 11 is considered to be patentable based on its dependence on claim 1. Claim 11 is also considered to be patentable because Morag does not show (or suggest) a system in which “in response to user command via said at least one display image, storing at least one of, (a) an event identifier identifying said event, (b) a process identifier identifying said predetermined process and (c) an identifier identifying a particular instance of said predetermined process”. Morag in para 0177-0181 and Figures 3B and 4 nowhere shows or suggests this feature combination and fails to even mention a process “instance”. A process “instance” is a “copy of a workflow process and may comprise a particular use of the process for a specific patient, for example” (Application page 11 lines 12-14).

Dependent claim 12 is considered to be patentable based on its dependence on claim 1. Claim 12 is also considered to be patentable because Morag does not show (or suggest) a system in which “said event comprises at least one of, (a) an event resulting from action by healthcare personnel, (b) an event generated by an operating process, (c) an event generated by patient monitoring equipment and (d) an event generated by a medical device”. Morag in para 0177-0181 and Figures 3B and 4 nowhere shows or suggests this feature combination.

Dependent claim 13 is considered to be patentable based on its dependence on claim 1. Claim 13 is also considered to be patentable because Morag does not show (or suggest) a system in which “said display image indicates to a user a **mapping of a first label** representing said **event** associated parameter used by said predetermined process to a **corresponding second label** representing said associated **parameter** used by a **second process replaceable** by said predetermined process upon occurrence of said event”. Morag in para. 0194, 0195 nowhere shows or suggests this feature combination. Morag does not even mention a “label”.

Dependent claim 14 is considered to be patentable based on its dependence on claims 1 and 13. Claim 14 is also considered to be patentable because Morag does not show (or suggest) a system in which “said first label is different from said second label”. Morag does not even mention a “label”.

Dependent claim 15 is considered to be patentable based on its dependence on claim 1.

Dependent claim 16 is considered to be patentable based on its

dependence on claims 1 and 15. Claim 16 is also considered to be patentable because Morag does not show (or suggest) a system in which “said at least one display image supports user designation of a particular individual task of said individual tasks and said predetermined process is initiated from said user designated particular individual task upon occurrence of said event”. Morag in para. 0194 and 0195 or elsewhere fails to show or suggest such features. This combination enables a user via a “display image” to designate that a “**predetermined process** is initiated **from** said user **designated particular** individual **task** upon occurrence of said event”. Thereby a user can create a workflow process in which a task of one process is able to dynamically initiate a second process in response to an event. This feature combination is nowhere shown or suggested in para. 0194, 0195 or elsewhere in Morag.

Dependent claim 17 is considered to be patentable based on its dependence on claims 1, 15 and 16. Claim 17 is also considered to be patentable because Morag does not show (or suggest) a system in which “upon occurrence of said event, said predetermined process omits at least one task prior to said designated particular individual task”. This feature combination enables a user to create a workflow process in which a task of one process is able to dynamically initiate a second process and **omit** “at least one task prior to said **designated** particular individual task” in response to an event. This feature combination is nowhere shown or suggested in para. 0194, 0195 or elsewhere in Morag.

Amended independent claim 18 recites a method for “providing a user interface for processing an event representing a change in circumstances potentially affecting healthcare delivered to a patient” comprising “in response to user command, initiating generation of at least one display image supporting a user in, identifying an event and an associated parameter, said associated parameter being for use by multiple different process task sequences and stored at a location available for access by said multiple different process task sequences; designating a predetermined process is associated with said identified event by associating identifiers with said identified event and said identified parameter, said predetermined process comprising a set of tasks to be performed by at least one individual to support healthcare delivery; and designating said identified parameter is to be provided to said process in response to occurrence of said event; providing said identified parameter to said process using a map in at least one repository associating event identifiers and parameter identifiers; and filtering messages identifying events using said map to exclude messages conveying event identifiers unassociated with said predetermined process from being

passed to said process”. These features are not shown (or suggested) in Morag.

Amended independent claim 18 is considered to be patentable for reasons given in connection with claims 1 and 2 and for other reasons.

Dependent claim 19 is considered to be patentable based on its dependence on claim 18 for reasons given in connection with claims 1, 2 and 9.

Dependent claim 20 is considered to be patentable based on its dependence on claim 18 for reasons given in connection with claims 1, 2 and 9. Claim 20 is also considered to be patentable because Morag does not show (or suggest) a system in which “said particular instance of said predetermined process comprises a particular use of said predetermined process for a specific patient”. This feature combination is nowhere shown or suggested in Morag.

Amended independent claim 21 recites a method for “a method for providing a user interface for processing an event representing a change in circumstances potentially affecting healthcare delivered to a patient” comprising “in response to user command, initiating generation of at least one display image supporting a user in, identifying an event potentially arising during a first process; identifying a parameter associated with said identified event; designating a second process is associated with said identified event by associating identifiers with said identified event and said identified parameter, said second process comprising a set of tasks to be performed by at least one individual to support healthcare delivery; and designating said parameter is to be provided to said second process in response to occurrence of said event; providing said identified parameter to said process using a map in at least one repository associating event identifiers and parameter identifiers; and filtering messages identifying events using said map to exclude messages conveying event identifiers unassociated with said predetermined process from being passed to said process”. These features are not shown (or suggested) in Morag.

Amended independent claim 21 is considered to be patentable for reasons given in connection with claims 1 and 2 and for other reasons.

Dependent claim 22 is considered to be patentable based on its dependence on claim 21 for reasons given in connection with claims 1, 2 and 3.

Dependent claim 23 is considered to be patentable based on its dependence on claim 21 for reasons given in connection with claims 1, 2, 3 and 9.

Dependent claim 24 is considered to be patentable based on its dependence on claim 21 for reasons given in connection with claims 1 and 2. Claim 24 is also considered to be patentable because Morag does not show (or suggest) a system in which "said associated parameter is for use by **multiple** different process task sequences and is stored at a location available for access by said multiple different process task sequences". This feature supports a user in designating a globally available patient parameter to be provided to multiple different concurrently operating workflow task sequences, for example, upon occurrence of an event. This feature combination is nowhere shown or suggested in Morag.

IV. Information Disclosure.

An Information Disclosure is submitted listing art cited in a co-pending case Serial No. 10/051,664 having similar subject matter. Specifically, cited is U.S. Patent 5,692,125 – Schloss et al. Schloss et al. does not show or suggest the features of the amended claims including the feature combination involving enabling a **user to configure** a workflow task sequence by "indicating" an "identified parameter" is "to be provided" to a "process in response to occurrence of said event" and "providing said identified parameter to said process using a **map** in at least one repository associating **event identifiers** and **parameter identifiers**".

Consequently withdrawal of the Rejection of claims 1-24 is respectfully requested.

Having fully addressed the Examiner's rejections, it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at the phone number below, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,



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